

CHECKLIST ENVIRONMENTAL ASSESSMENT

Project Name:	NorthWestern Energy Substation Remodel LUL
Proposed Implementation Date:	February, 2017
Proponent:	NorthWestern Corporation, DBA NorthWestern Energy – Holder of Easement #5150
Location:	Section 16, Township 11 North, Range 31 East
County:	Musselshell

I. TYPE AND PURPOSE OF ACTION

NorthWestern Energy is requesting a Land Use License for the remodel of their substation that is located on Section 16, T11N R31E under Easement #5150. They will need temporary use of the land around the substation for staging of equipment and possibly a temporary substation set up. Please see the attached map that describes the 250 feet by 250 feet area that will be used for the proposed Land Use License.

II. PROJECT DEVELOPMENT

1. PUBLIC INVOLVEMENT, AGENCIES, GROUPS OR INDIVIDUALS CONTACTED:

Provide a brief chronology of the scoping and ongoing involvement for this project.

The Department of Natural Resources and Conservation (DNRC) Southern Land Office and NorthWestern Corporation-Holder of Easement #5150 on Section 16, T11N R31E are involved in this project.

2. OTHER GOVERNMENTAL AGENCIES WITH JURISDICTION, LIST OF PERMITS NEEDED:

No other governmental agencies have jurisdiction over this proposal.

3. ALTERNATIVES CONSIDERED:

Alternative A (No Action) – The DNRC does not grant permission to NorthWestern Corporation a 250 feet by 250 feet space in the NW4SW4 of Section 16, Township 11N, Range 31E for activities related to the remodel of their substation.

Alternative B (the Proposed action) – The DNRC does grant permission to NorthWestern Corporation a 250 feet by 250 feet space in the NW4SW4 of Section 16, Township 11N, Range 31E for activities related to the remodel of their substation.

III. IMPACTS ON THE PHYSICAL ENVIRONMENT

- *RESOURCES potentially impacted are listed on the form, followed by common issues that would be considered.*
- *Explain POTENTIAL IMPACTS AND MITIGATIONS following each resource heading.*
- *Enter "NONE" if no impacts are identified or the resource is not present.*

4. GEOLOGY AND SOIL QUALITY, STABILITY AND MOISTURE:

Consider the presence of fragile, compactable or unstable soils. Identify unusual geologic features. Specify any special reclamation considerations. Identify any cumulative impacts to soils.

There are no fragile or unstable soils present in the area of the proposed Land Use License. The soils consist of Marvan silty clay soils. The proposed Land Use License will encompass a 1.43 acre space directly around the existing substation easement and will have minimal impacts to the soils.

The term of the proposed Land Use License that has been requested is a total of two months. Because of the short term occupation of the site, soil compaction issues are not expected to be significant. In addition, work is expected to be completed while the soils are still frozen during the months of February and March. This will help ensure that any impacts to the soils in the LUL area will not be significant.

The proponent may place 4-6 temporary poles if needed during the remodel of the substation. These temporary poles would be removed following construction and the area of disturbance would be reclaimed to pre-construction conditions. Any seeding of disturbed areas would be required to be completed with a native grass seed mix that has been approved by the local DNRC office.

No significant adverse impacts to the soils are anticipated.

5. WATER QUALITY, QUANTITY AND DISTRIBUTION:

Identify important surface or groundwater resources. Consider the potential for violation of ambient water quality standards, drinking water maximum contaminant levels, or degradation of water quality. Identify cumulative effects to water resources.

The Musselshell river flows through the center of Section 16, T 11N, R 31E. The proposed Land Use License area is located just over a quarter mile east of the Musselshell River and is not expected to affect groundwater, ambient water quality standards, and drinking water contaminants or degrade water quality.

No significant adverse impacts to water quality, quantity, or distribution are anticipated.

6. AIR QUALITY:

What pollutants or particulate would be produced? Identify air quality regulations or zones (e.g. Class I air shed) the project would influence. Identify cumulative effects to air quality.

Dirt work may generate some airborne dust. These activities will minimally affect air quality for a very limited amount of time.

No significant adverse impacts to air quality are anticipated

7. VEGETATION COVER, QUANTITY AND QUALITY:

What changes would the action cause to vegetative communities? Consider rare plants or cover types that would be affected. Identify cumulative effects to vegetation.

Section 16, T11N R31E has been identified as General Sage Grouse Habitat. NorthWestern Energy will be required to adhere to their Best Management Practices that they have developed for use when in Sage Grouse General Habitat.

The following stipulations that were established in the Governor's Executive Order No. 12-2015 will be adhered to in regards to this proposed Land Use License:

Seasonal Use: Activities (production and maintenance activity exempted) will be prohibited from March 15- July 15 within 2.0 miles of an active lek where breeding, nesting, and early brood-rearing habitat is present.

Noise: New project noise levels, either individual or cumulative, should not exceed 10 dBA above baseline noise at the perimeter of an active lek from 6:00pm to 8:00am during the breeding season (March 1-July 15).

Exempt Activities: Production and maintenance activities associated with existing oil, gas, communication tower and power line facilities in compliance with approved authorizations.

The proposed Land Use License is over 2 miles away from any active leks and therefore will be exempt from the seasonal use and noise restriction in General Habitat.

No other rare plants or cover types were identified within the proposed Land Use License area.

No significant adverse impacts to vegetation cover are anticipated.

8. TERRESTRIAL, AVIAN AND AQUATIC LIFE AND HABITATS:

Consider substantial habitat values and use of the area by wildlife, birds or fish. Identify cumulative effects to fish and wildlife.

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The proposed Land Use License is over 2 miles away from any active leks and therefore will be exempt from the seasonal use and noise restriction in General Habitat.

No significant adverse impacts to terrestrial, avian and aquatic life and habitats are anticipated.

9. UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES:

Consider any federally listed threatened or endangered species or habitat identified in the project area. Determine effects to wetlands. Consider Sensitive Species or Species of special concern. Identify cumulative effects to these species and their habitat.

The Species of Concern Report from the Montana Natural Heritage Program indicates that the Great Plains Toad (*Anaxyrus cognatus*), the Sauger (*Sander canadensis*), the Greater Sage Grouse (*Centrocercus urophasianus*), the Black-tailed Prairie Dog (*Cynomys ludovicianus*), and the Spiny Softshell (*Apalone spinifera*) may occur in the area.

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Exempt Activities: Production and maintenance activities associated with existing oil, gas, communication tower and power line facilities in compliance with approved authorizations.

The proposed Land Use License is over 2 miles away from any active leks and therefore will be exempt from the seasonal use and noise restriction in General Habitat.

The proposed action will not permanently alter the above mentioned species' habitat because of the small size of the project and the rehabilitation procedures following the project. All stipulations required by the Governor's Executive Order No. 12-2015 will be followed for the proposed project.

No significant adverse impacts are anticipated.

10. HISTORICAL AND ARCHAEOLOGICAL SITES:

Identify and determine effects to historical, archaeological or paleontological resources.

No cultural resources have ever been identified on this section during previous field evaluations.

The proposed Land Use License area consists of soils that have been previously disturbed. Therefore, any disturbance resulting from the proposed LUL activities would not be new disturbance of an untouched area. This reduces the risk that any historical and/or archaeological sites would be disrupted as a result of the proposed Land Use License.

The DNRC's State Archaeologist has been consulted regarding this proposal. He did not have any concerns regarding the proposed LUL due to the previous disturbance of the soils within the proposed LUL area.

No adverse impacts to historical or archaeological sites are anticipated.

11. AESTHETICS:

Determine if the project is located on a prominent topographic feature, or may be visible from populated or scenic areas. What level of noise, light or visual change would be produced? Identify cumulative effects to aesthetics.

The project is located in an isolated area away from any population.

No adverse impacts to aesthetics are anticipated.

12. DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AIR OR ENERGY:

Determine the amount of limited resources the project would require. Identify other activities nearby that the project would affect. Identify cumulative effects to environmental resources.

No demands on limited resources are required for this project.

No adverse impacts to environmental resources are anticipated.

13. OTHER ENVIRONMENTAL DOCUMENTS PERTINENT TO THE AREA:

List other studies, plans or projects on this tract. Determine cumulative impacts likely to occur as a result of current private, state or federal actions in the analysis area, and from future proposed state actions in the analysis area that are under MEPA review (scoped) or permitting review by any state agency.

There are no other projects or plans being considered on the tracts listed on this EA.

IV. IMPACTS ON THE HUMAN POPULATION

- *RESOURCES potentially impacted are listed on the form, followed by common issues that would be considered.*
- *Explain POTENTIAL IMPACTS AND MITIGATIONS following each resource heading.*
- *Enter "NONE" if no impacts are identified or the resource is not present.*

14. HUMAN HEALTH AND SAFETY:

Identify any health and safety risks posed by the project.

There are some human safety risks associated with operating equipment. The proponent and their employees accept these risks as acceptable occupational hazards.

15. INDUSTRIAL, COMMERCIAL AND AGRICULTURE ACTIVITIES AND PRODUCTION:

Identify how the project would add to or alter these activities.

The project will not alter any current use patterns dealing with agricultural use. Grazing of livestock will continue as before.

No adverse impacts to industrial, commercial, or agriculture activities and production are anticipated.

16. QUANTITY AND DISTRIBUTION OF EMPLOYMENT:

Estimate the number of jobs the project would create, move or eliminate. Identify cumulative effects to the employment market.

The proposed activity will not create, move or eliminate any jobs. No new jobs will be created.

No adverse impacts to the employment market are anticipated.

17. LOCAL AND STATE TAX BASE AND TAX REVENUES:

Estimate tax revenue the project would create or eliminate. Identify cumulative effects to taxes and revenue.

There are no direct or cumulative effects to taxes or revenue for the proposed project.

18. DEMAND FOR GOVERNMENT SERVICES:

Estimate increases in traffic and changes to traffic patterns. What changes would be needed to fire protection, police, schools, etc.? Identify cumulative effects of this and other projects on government services

There will be no increases in traffic, no changes in traffic patterns, and no need for additional fire protection, or police services.

No adverse impacts to government services are anticipated.

19. LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS:

List State, County, City, USFS, BLM, Tribal, and other zoning or management plans, and identify how they would affect this project.

There are no zoning or other agency management plans affecting these lands.

20. ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES:

Identify any wilderness or recreational areas nearby or access routes through this tract. Determine the effects of the project on recreational potential within the tract. Identify cumulative effects to recreational and wilderness activities.

The proposed activity is not anticipated to have any direct impact to the access to quality recreation and wilderness activities.

No adverse impacts to recreation or wilderness activities are anticipated.

21. DENSITY AND DISTRIBUTION OF POPULATION AND HOUSING:

Estimate population changes and additional housing the project would require. Identify cumulative effects to population and housing.

The proposal does not include any changes to housing or developments. The employees and/or contractors of NorthWestern Energy will be asked to camp at a location off of Section 16, T11N R31E during the term of the proposed Land Use License.

No adverse impacts to population or housing are anticipated.

22. SOCIAL STRUCTURES AND MORES:

Identify potential disruption of native or traditional lifestyles or communities.

There are no native, unique or traditional lifestyles or communities in the vicinity that would be impacted by the proposal.

23. CULTURAL UNIQUENESS AND DIVERSITY:

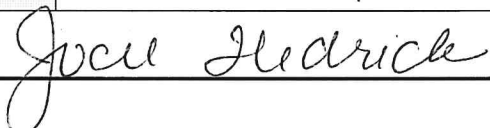
How would the action affect any unique quality of the area?

The proposed project will have no effect on any unique quality of the area.

24. OTHER APPROPRIATE SOCIAL AND ECONOMIC CIRCUMSTANCES:

Estimate the return to the trust. Include appropriate economic analysis. Identify potential future uses for the analysis area other than existing management. Identify cumulative economic and social effects likely to occur as a result of the proposed action.

The one-time fee for the proposed Land Use License will be \$200.00 and those monies will be awarded to the Common Schools Trust.

EA Checklist Prepared By:	Name: Jocee Hedrick Title: Land Use Specialist
Signature: 	Date: 1/27/17

V. FINDING

25. ALTERNATIVE SELECTED:


I have selected the Proposed Alternative B, and recommend that the DNRC does grant permission to NorthWestern Corporation a 250 feet by 250 feet space in the NW4SW4 of Section 16, Township 11N, Range 31E for activities related to the remodel of their substation..

26. SIGNIFICANCE OF POTENTIAL IMPACTS:

I have evaluated the potential environment effects and have determined that no significant adverse environmental impacts will result from the proposed activity.

27. NEED FOR FURTHER ENVIRONMENTAL ANALYSIS:

☐ EIS ☐ More Detailed EA ☒ No Further Analysis

EA Checklist Approved By:	Name: Jeff Bollman Title: Southern Land Office Planner
Signature: 	Date: 1/27/17

Map of Proposed Land Use License Area

